IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT PETITION NO : 1179 of 2005

Between:

K.V.S. Murthy, S/o. K. Surya Rao,
R/o. 6-3-1132/1, 109 E Gayatri Apartments, B.S. Makta, Begumpet, Hyderabad.

--Petitioner

AND

1 State Bank of Hyderabad Begumpet Branch,
Secunderabad rep by its Chief Manager
2 Debts Recovery Tribunal 5th Floor, Triveni Complex, Abids Hyderabad.
3 M/s. Pulijal Builders at 6-3-659/213, Kapadia Lane, Somajiguda, Hyderabad.
4 A.B. Girish Naidu, S/o. appikonda Venkata Rao Naidu,
R/o. 6-3-132/1, B.S. Makta, Hyderabad.
5 Lilly Venkatram Naidu, W/o. Appikonda Venkata Rao,
R/o. 6-3-132/1, B.S. Makta, Hyderabad.
6 N. Nagesh, S/o. not known, Major,
R/o. Dubba Village, Nizamabad District.
7 The Sub Registrar, O/o. of the Registrar of Begumpet, Near Somajiguda,
Hyderabad.

--Respondents

For the reasons stated in the accompanying affidavit, the Honourable Court may be pleased to issue a Writ of Certiorari or any other writ, order or direction in the nature of Writ by setting aside the order dated 18.1.2005 in I.A. No. 1547,1548 of 2004 in R.A.I.R. No.7 of 2004 against C.P. No.19 of 2003 in R.P. No.428 of 2001 in O.A. No.43 of 1997 on the file of the 2nd respondent and pass such other orders as this Honourable Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: SMT.CH.VEDAVANI

Counsel for the Respondent No.1: None appeared.

Counsel for the Respondent No.2: Sri A. Rajasekhar Reddy

Counsel for the Respondents 3 to 6: None appeared

Counsel for the Respondent No.7: GP FOR REVENUE

The Court made the following Oral Order: (per Sri Devinder Gupta, CJ)

There is an adequate efficacious alternative statutory remedy available to the petitioner under the provisions of the Recovery of Debts due to Banks and Financial Institutions Act, 1993.

In view of the availability of the said alternative remedy, we find no ground to entertain this writ petition. The writ petition is accordingly dismissed. No costs.

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DEVINDER GUPTA,CJ

DATE: 19th January, 2005

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M. NARAYNA REDDY,J

Pnb

To

1. The Chief Manager,

State Bank of Hyderabad.

2. Debts Recovery Tribunal, 5th Floor, Triveni Complex, Abids, Hyderabad.

3. The Sub-Registrar, O/o. the Registrar of Begumpet,

Near Somajiguda, Hyderabad.

4. Two C.Cs. to the Government Pleader for Revenue, High Court Buildings, Hyderabad. (OUT)

5. Two C.D. copies